

NOV 24 2008

FAX TRANSMISSION**DATE:** November 24, 2008**PTO IDENTIFIER:** Application Number 10/538,223-Conf. #9409
Patent Number**Inventor:** Heinz Schneider**MESSAGE TO:** US Patent and Trademark Office**FAX NUMBER:** (571) 273-8300**FROM:** CONNOLLY BOVE LODGE & HUTZ LLP

Liza D. Hohenschutz

PHONE: (302) 658-9141**Attorney Dkt. #:** 09600-00031-US**PAGES (Including Cover Sheet):** 13**CONTENTS:** Amendment in Response to Non-Final Office Action (11 pages)
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PTO/SB/97 (10-08)

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Application No. (if known): 10/538,223

Attorney Docket No.: 09600-00031-US

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Amendment in Response to Non-Final Office Action (11 pages)
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Docket No.: 09600-00031-US
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Heinz Schneider

Application No.: 10/538,223

Confirmation No.: 9409

Filed: June 29, 2005

Art Unit: 1655

For: FORMULATION WHICH CAN BE
ADMINISTERED GASTROINTESTINALLY,
AND THE USE THEREOF

Examiner: M. L. McCormick

RESPONSE TO NON-FINAL OFFICE ACTION

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

INTRODUCTORY COMMENTS

This is in response to the Office Action mailed August 22, 2008, the time for a response to which expires on November 24, 2008. This response is timely filed on November 24, 2008. The original due date was Saturday, November 22, 2008. Monday, November 24, 2008 is the next succeeding day the U.S. patent and Trademark Office is open for business.

Please amend the above-identified U.S. patent application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 3 of this paper.